

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.14300 of 2003

-
DATED: 01.08.2007

Between:

M/s Padmavathi Rice Mill, Piduguralla
rep. by its Proprietor Gunda Narayana. .. Petitioner

And

The Southern Power Distribution
Company of Andhra Pradesh Limited,
Tirupathi rep. by its Chairman &
Managing Director
and another. .. Respondents.

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.14300 of 2003

ORDER:

-

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in making a demand to the petitioner to pay a sum of Rs.9,115-99 ps. towards surcharge (other charges) by way of the Electricity consumption bill dated 01.05.2003 of service No.7200 as illegal and arbitrary, and consequently, direct the respondents not to collect the said amount of Rs.9,115-99 ps. from the petitioner.

The main grievance of the petitioner is that the electricity consumption bill, dated 01.05.2003, was issued to it by the second respondent, wherein they charged an amount of Rs.17,692/- as the total amount payable by it towards electricity consumption. But, however, in the column mentioned as "other charges" in the said bill, an amount of Rs.9,115-99 ps. was stated to be paid by the petitioner, and that as the petitioner does not know as to why the said amount is charged under the head "other charges", it made a representation to the second respondent on 28.05.2003 asking the authorities to furnish the particulars as to why the said amount of Rs.9,115-99 ps. is included in the said bill, but the respondents have not responded, and hence, the present writ petition is filed.

Despite the fact that notices are served on the respondents, the respondents have not chosen to file any counter.

This Court, while issuing *rule nisi* on 23.07.2003, granted interim

direction as prayed for in WPMP.No.17702 of 2003 i.e., directed the second respondent to take steps to reconnect the service (S.C.No.7200) of the petitioner-Rice Mill subject to the condition that the petitioner deposits a sum of Rs.4,000/- within two weeks from that day, and accordingly, it appears, the petitioner has paid the said amount.

Further, having heard the learned counsel for the petitioner and perused the impugned bill dated 01.05.2003, it is evident that the petitioner is ordered to pay an amount of Rs.9,115-99 ps. under the head "other charges" and it is not known as to why the said amount is charged. As no counter affidavit is filed, this Court is unable to know as to why the second respondent demanded the said amount under the head "other charges". Though the petitioner submitted an application dated 28.05.2003 to the second respondent requesting him to furnish the details with regard to the said amount of Rs.9,115-99 ps. charged in the electricity consumption bill, the respondents have not responded to it.

In view of the above facts and circumstances of the case, the respondents are hereby directed to consider the application dated 28.05.2003 submitted by the petitioner within a period of four weeks from the date of receipt of a copy of this order and pass appropriate orders.

Subject to the above directions, the writ petition is disposed of.
No order as to costs.

(GOPALA KRISHNA TAMADA,J)

Dt.01.08.2007

V V